



# The Cri-Weekly Yeoman.

FRANKFORT:

THURSDAY : : : : : FEBRUARY 8.

## Democratic State Convention.

We are authorized to state that the Democratic Central Committee, who have been requested to name the time and place for holding a Convention of the Democratic party of Kentucky, for the nomination of candidates for Governor and Lieutenant Governor, and the transaction of other matters pertaining to politics, recommend to the party that they meet in State Convention at Frankfort, on the 15th day of March, 1855.

### As we Expected.

The editor of the Commonwealth has announced himself as one of the defenders of Know-Nothingism. He says he doesn't belong to the order, but his inherent love of truth and hatred of slander alone prompt him to shiver a lance in their defense. All this looks well-upon paper, and would, undoubtedly, be creditable to the champion, if divested of selfishness.

But when we take into consideration the fact that our neighbor is one of the leaders of a party who have thrown themselves into the loving arms of these same Know-Nothings, the honor, the glory, the chivalry of the action vanish into nothingness, and those whom he attempts to defend ought not to thank him.

But, seriously, of all the charges that have been made against this new order, the one of treacherous with the Abolitionists of the North can be better sustained by facts than my other.

We have shown in a former number of our paper

evidence so conclusive of this fact, that they are

becoming alarmed, and are looking about for

some pretext, or action on their part, to plead

against this array. Our neighbor does not cite

one single fact to prove his position. He only

argues that because Abolitionists are to be found

among the Know-Nothings that that is no reason

why all of them should be so. This all very

true, but the charge we make is that a major-

ity of them are Abolitionists, and we infer this

fact from what they have done, not from what

they profess to wish to do. It has been shown,

beyond a doubt, that in every election which

has been held where they have had a chance

they have invariably sustained and elected

men hostile to the institution of slavery.

It is said that one fact is worth a thousand

theories. Such being the case, what becomes

of all the nice spun theories of our neigh-

bor? He has thrown himself out as the veritable knight who is to do battle in their

defense, and he must, for the credit of the

order, give us a few facts upon which to found

that defense. We cannot take deduction from

a theory, however logical, for the truth, when

the practical working deny the whole. So it

is in this instance. We have seen—the world

has seen—what the Know-Nothings have done,

and we judge of the tree by its fruits alone. It

is upon these that we ground our hostility.

It is to be supposed that they will do again

as they have done before, and if they will hereafter

support and elect such men as Gov. GARD-

NER, Wilson and Seward to the highest offices

in their gift, we say out upon them.

**THE SANDWICH ISLANDS.**—The San Francisco papers are unanimous in the opinion that the death of King Kamchamelin will terminate all hopes of annexation. The successor to the crown, Prince Liholiho, has never favored the project, and to his refusal the delay in its consummation has been mainly, if not entirely, owing. His signature to the treaty was alone wanting, and it has been withheld, as is alleged, for the reason that at an early day he expected to succeed to the throne.

**THE Boston Journal**, a leading Whig paper, in speaking of the election of Gen. Wilson to the United States Senate from Massachusetts, says that the Know-Nothing party will find that it has warmed into life a viper who will turn and sting it, perhaps even unto death.

**Both branches of the Legislature of Wisconsin**, by unanimous votes, have instructed the Democratic Senators and Representatives in Congress to oppose any change in the naturalization laws.

**POLITICAL PARSONS.**—The Pennsylvania says:

"From all quarters of the Union we hear of

parsons quitting the pulpit to dabble in the tag-

rant pool of politics," and adds: "A political

clergyman is the devil's own vicegerent, and will

without doubt receive a proper reward from a

generous Master, who, upon one occasion, at-

tempted to give away the whole world, when

not one inch of ground belonged to him."

**COMPLIMENTARY.**—The Brookville (Ind.) Ameri-

can, a Fusion Whig paper, speaks of David

Kilcour, the Fusion Whig Speaker of the

Indiana House of Representatives, as "the great

ass," that has been in the Speaker's chair since,

in a drunken spree, the Legislature put a veri-

table donkey there a few winters ago."

**PASSAGE OF THE FRENCH SPOLIATION BILL.**—This bill has passed both houses of Congress, and now only awaits the signature of the President to become a law. Great doubts have been expressed as to what disposition the Executive will make of it.

**ACQUITTED.**—In the Christian Circuit Court, after a trial of ten days, Mrs. TAYLOR has been acquitted of the charge of being accessory to the murder of ALEX HOPKIN.

**DEATH OF A CENTENARY SOLDIER.**—Mr. WIL-

LIAM SHENKILL, of Breckinridge county Ky.,

died on the 27th of January, in the 103d year of his age. The morning of the day of his death

found him in good health. After taking his breakfast he set out on foot to visit a neighbor,

who resided some two miles distant, and was

found dead about an hour after he started, in

the middle of the road, lying with one hand on

his hilt and the other in his pantaloons pocket.

He was a soldier in the revolutionary war and achieved considerable applause as a private, by his acts of undaunted bravery and manly courage.

**MR. MOTT,** who was by the know-nothing vote elected Canal Commissioner of Pennsyl-

vania, is about to be turned out by the Legis-

lature because he denounces the order.

**The winter term of the Court of Appeals**

closed yesterday.

**COMING TO THEIR SENSES.**—After having abused the President and Cabinet for two years, and repeated all the silly stories of the Herald about disagreements and resignations in the latter the Express and Times seem to have discovered that there is no truth in them.

The Express says:

**SECRETARY GUTHRIE.**—This gentleman came from Kentucky, a fresh public man, quite unknown to fame, into the Treasury department, and we regretted his coming there this year. The experiment of a green hand in the Treasury has always been a bad omen hitherto, and was bad even the case of so distinguished a lawyer as Mr. Merrieth, General Taylor's secretary of the Treasury.

But Mr. Guthrie has, in the discharge of the duties of his office, surpassed all public expectation—both in his ability, in his exemption from party follies, and his trustworthiness—and we see no reason why we should not say so. He has not only administered the Treasury well, but in the main he has guarded it well; and is likely to have lost but little. He has been a fair man, an upright man, and an honorable man. What more need be said?—and may we not add, it would be a public pity to lose such a man—in the natural apprehension we have, that if we go further the public will fare worse.

Hence, we hope there is no truth in the rumor that he is about to leave Washington, and go home to Kentucky.

The Times says:

Our readers will have noticed in our special correspondence from Washington of yesterday—that some assurances are repeated this morning—that such a thing as a break up in the Cabinet has neither been discussed nor thought of by the President. It is fortunate for the country, just now, that such is the case. Neither Mr. Marx nor Mr. Guthrie could be spared with profit to the foreign and financial interests committed to the charge of their respective departments. It is not at all plausible to suppose that the President would consent to the withdrawal of either from his Cabinet; nor is there the slightest reason to suppose that any other member is in disfavor, or that there is no want of harmony in the executive council.

The first resolution was adopted and the second tabled, when the House adjourned.

**DEMOCRATIC CONVENTION.**—We are glad to see that the Democracy of the counties are moving in this matter. The time is approaching, and we trust, by the 15th of March, every county will be ready. We expect a large convention, full of the noble spirit of the party. Our opponents will be willing to die off and be buried—they will, perhaps, hold a convention, as a sort of funeral of the Whig party, and install the new brethren into all the rights and privileges of the old Whig organization. They insist that the Democratic party is also dead, and nothing new lives and breathes but the new lights in political affairs. Be not deceived; it is only the old opposition in a new dress. They have a brain new creed and platform—new for this country—and as directly opposed to Democracy as any of the old measures of Whiggery were. Let the old banner be unfurled, the banner of the constitution, and the practice of our fathers, and let every Democrat be found rallied under it. This new elongation of Whiggery, of late development, is but an experiment to defeat the Democratic party. There never was a time when discretion and firmness were more needed. Let us have a convention that will show that the Democratic party is more alive—Send in full delegation to Frankfort, composed of men who never flinch in a good cause. It is the business of every Democrat to move in this cause. And let it not be delayed, because every body's business is nobody's.

We may expect a combination of all the factions and all the isms. The old opposition is disorganized, and its members have nothing to do but to get up combinations against the Democratic party. We may depend upon an opposition from the whole of them; but the opposition is no more formidable than it has been in times past. We can beat the whole of the factions combined, and a few more thrown in.

Let us have a mass convention; let every part of the State be represented, and all will be well.—*Lou. Dem.*

[From the Bardstown Herald.]

**WE** think it to be pretty apparent that the Democrats will very generally run anti-Know-nothing men. At their county and district conventions, so far as we have observed, they have without exception, passed resolutions denouncing the doctrines of that celebrity, Ned Bunting, whom is laid the paternity of this novel craft. In this respect the Democrats occupy the same ground as the Clay-school Whigs.

We can forgive the loco a great many grooves we had against them for the opposition they are making to this subterranean clique against religious liberty in the United States. A secret party to proscribe Catholics on account of their religion and do other works of destruction to the laws and liberty of the country deemed necessary for the success of their schemes, ambitious, are the hobby and rider. Shano, shame! the men and set of men, who would put a fire brand to the temple of liberty that they may get office! All history of free countries cannot furnish a specimen of more egregious charlatanism and party recklessness than this most wicked and most impudent of political humbuggs.

Mr. Jones of Teaneck, moved to amend by reducing the appropriation in the bill from \$5,500,000 to \$5,500,000.

This was objected to by several members, who said the bill in that shape would be objected to by Texas.

Without taking up the question, the committee rose and the friends of the bill desired to go into committee upon the subject.

The motion was defeated by the slipping out into the lobby of some of the members, so that no quorum voted.

A call of the House was then ordered; but

absentees returning, 153 members answered to their names.

The House then adjourned.

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S. H. PARVIN, Newspaper and Advertising Agent, Fourth street, Cincinnati, Ohio, is our authorized agent to receive and receipt for advertising and subscriptions for the Yeoman.

We had the pleasure yesterday of shaking hands with "Sam,"—not the veritable Sam, of political notoriety, but Sam. CARPENTER, Esq., of Bardstown, one of the cleverest and most talented young gentlemen in Kentucky. He is here on business, but of what character, we do not know—perhaps some of our beautiful and accomplished young ladies can answer. Our impression is that some of them could tell—if they would.

**DEATH OF FAERZING.**—We learn by a letter from a friend at White Sulphur, that WILLIAM R. QUARRELL, a young man of intelligence and respectability—a native of Ireland, and school teacher in the vicinity of White Sulphur, Scott county—met a horrid fate in that neighborhood on the night of Monday, the 29th ult. He was found in an open field, early Tuesday morning, quite frozen, where it is supposed he had lain through the greater part of the night; but life not being extinct, he was conveyed to the nearest house, where medical and other assistance was promptly rendered, and every effort made to save him—which only served to prolong his miserable existence till 4 o'clock P.M., the following day, when he expired in the greatest agony—doubtless a victim to excessive drink—though not an habitual inebriate. He left no family, excepting a wife, to whom he had been recently married.

Our next door neighbors, Messrs. Loomis & Conney, who, by the way, have always one of the finest stocks of jewelry to be found in any house in the West, has been gladdening the heart of one of the editors of the Louisville Times with a present of a specimen of their superior pocket knives, which compliment is thus hand-somely acknowledged:

We beg to make our politest bow to Mr. A. Conney, of Frankfort, for his very handsome present in the shape of a most elegant pocket knife, which he has just exhibited the good taste to send us. We also return thanks to the same gentleman for a similar present to our accomplished agent Mr. J. G. BOWMAN. Mr. C. has set an example to our hard-wearing merchants in Louisville, which is worthy of all admiration. The knives in question are from the best jewelry establishment in the West, that of Messrs. Loomis & Conney, Frankfort Ky., whom we cheerfully recommend to our friends.

You can keep your old knife, Mr. Times, as we expect to carry one of the aforesaid before long.]

**A DUEL.**—A dispatch from Jefferson City, dated the 2d, to the St. Louis Intelligencer, states that a duel was impending between Messrs. BROWN and STEWART, members of the Missouri Legislature, growing out of insulting language used in debate. The dispatch says that neither of the gentlemen was seen in his seat this afternoon, and it is rumored that they will fight to-morrow morning. Capt. Faost is acting for Mr. Brown, and Mr. BLACKWELL, it is understood, is the friend of Mr. Stewart.

Mr. SAMUEL O. MEAN, of Boston, who suspended some time this winter, has again resumed business, and paid off all his creditors both principle and interest—an honest man.

**SHOOTING AFFAIR IN LITTLE ROCK.**—A report has reached us via Helena, that a few days since, just as the Arkansas House of Representatives had adjourned, T. C. HINDMAN, Esq., of Helena, shot Dr. MOON, of Dardanelle. The wound was not considered dangerous.

**ELECTIONS BY THE ARKANSAS LEGISLATURE.**—Major JESSE A. JACKSON has been re-elected to the office of State Land Agent. C. F. M. NOLAN, of Independence county, Jas. H. HOBBS, of Benton, and DANIEL H. WILLIAMS, of Hempstead, were elected Swamp Land Commissioners.

Eighteen persons were baptized in Bear-grass creek, near Louisville, Sunday last.—The ice had to be cut out so as to baptize them. One lady fainted when she was going in, affected by the intense cold water.

At Hawesville, Messrs. TRAUE & NEBBIT have very ingeniously converted one of the large rocky caverns on their property, fronting their lower coal depot, into a substantial and secure Powder Magazine, by merely throwing a three foot wall across the entrance. The cave has capacity of holding 5,000 kegs.

**PRICES OF LAND IN KANSAS.**—A letter from Kansas says, in the counties on the Missouri river adjoining Kansas, land is worth from \$10 to \$50 per acre. In Platte county, within fifteen miles of Weston, it cannot be bought for less than \$25, while much of it will bring \$50 an acre.

The stock of pork at New York on the 1st instant was 30,790 bbls old mess and 3,850 new do.

**KENTUCKY STOCKS.**—There were sales at the Philadelphia board, Feb. 2nd, of 12 shares Bank of Kentucky at \$102; 6 Bank of Louisville at \$102, and 15 Northern Bank of Kentucky at \$104.

A WOMAN BURNED TO DEATH.—The Cambridge (O.) Jeffersonian of the 2d inst. gives an account of a melancholy accident which occurred in Washington, a neighboring town, on Monday week.

About ten o'clock smoke was seen issuing from the dwelling-house of Mrs. MARY COLLEY. The alarm of fire was given, and the door bursted open, when a most appalling spectacle was presented to view. Enveloped in flames lay the body of Mrs. COLLEY. By means of a hook her burning corpse was dragged from the room into the street, where the snow extinguished the flames surrounding it, leaving it a denuded, crisped and blackened object, frightful to look upon. It is supposed that she had been reaching for some article on the mantle, when her clothes caught from the fire in the gates, and that in trying to reach the door she fainted, and fell beside the bed, which took fire from her burning clothes, and was consumed.

**NEW COUNTERFEIT.**—Thompson's last Report notices the following:

10s. on the Bank of Kentucky, Ky., altered from 1s.—vignette portrait of Henry Clay—men and women at each end.

## COURT OF APPEALS.

Fifty-Sixth Day.  
TUESDAY, Feb. 6.

CAUSES DECIDED.  
Bell v McAllister, Greenup; affirmed.  
Barnberger v Greenbush, Cumberlaed; affirmed.  
Phillips v Sulpher Well road, Jefferson; affirmed.  
Fanny Smith v Terry, Henderson; reversed.  
Baker, &c., v Winfrey & Bledsoe, (2 cases,) Cumberlaed; reversed.  
Campbell v Hillman, Christian; reversed.  
Letcher v McKee, &c., Madison; reversed.  
Alcorn, &c., v Leitcher, &c., Madison; affirmed.

Fifty-seventh Day.  
WEDNESDAY, Feb. 7.

CAUSES DECIDED.  
Chambers v Davis, Madison; reversed.  
McLean's h's Payne, Fayette; reversed.  
Towns v Oldham, Hopkins; affirmed.  
Simmons v Campbell, Warren; opinion modified and petition overruled.

The Court then adjourned until Court in course.

McGaughey's Adm'n v. Henar, &c., Christian county.

Arthur McGaughey died, possessed of a large real and personal estate, after having made his will; which was proved and admitted to record in the county court of Christian, in October, 1852. His widow, a principal devisee, died about five days after the testator, and Mrs. Harriet Henry survived them but a few days, being testator's daughter, and also a devisee.—No executor having been named in the will, Edwin Morris was appointed administrator, and the widow having died intestate, Robert McGaughey, one of the testator's sons, was appointed his administrator.

This petition was filed in January, 1853, by Edwin Morris, adm'r, and Robert McGaughey as adm'r, and in his own right, and Albert Wallace and Helen, his wife, a daughter of the testator, and John W. McGaughey, an infant son of said testator, suing by his guardian and next friend, against Arthur L. Henry, and Harriet G. Henry, infant children of Harriet Henry, deceased, and R. G. Henry, their father and guardian, to have a division of the testator's slaves according to a division previously made by commissioners appointed by the Christian county court, but disapproved and rejected by that court, or according to such principles as might be conformable to equity and the directions of the will.

The defendants, the children and husband of the testator's daughter, Harriet Henry, objected to the division already made as doing them injustice, and showing that the portion of the testator's estate which his daughter Harriet had received by way of advancement, and under the will, was less than that received by and devised to either of the testator's sons, or his other daughter; they pray that the estate yet to be devised might be so apportioned as to give to those entitled to the share of said Harriet, one-fourth of the entire estate, and thus produce equality among the four children of the testator, considering the two children of Mrs. Henry as standing in the place of their mother.

It appears that a short time before the execution of the will, which bears date in August, 1850, the testator, with a view to the disposition of his estate by will, had caused his land, some 1300 acres, to be laid off into lots, and numbered 1, 2, 3, and 4, leaving still a residue of about 255 acres. After devising to each a lot, varying from 242 to 309 acres, the will proceeds as follows:

"I will now designate to the portions or tracts of land allotted and bequeathed to my beloved wife, Julia P.," and describes two tracts, including his dwelling-house and other buildings, and making altogether 255 acres, "set apart for the exclusive benefit of my wife, to be disposed of in any way she may think proper as life interest, and at her death or before to give said land to any one or more of her children, as she may believe them most worthy or needy," and no further disposition is made of the lands here spoken of. "As to my negro property," the will proceeds, "my daughter Harriet got two likely negro women, to-wit, "etc., "my daughter Ellen, as her sister, at her marriage, got two likely negro women; my wife and son Robert are requested to call in three or five men, my wish is Edwin Morris (and three others named) or any three of them, and to the men whom they may, aro to ascertain the value of my slave property, and then my widow shall have her choice of the negroes, equal to one-third the total value, and at or before the death of my widow she is privileged to divide said slaves as she may think proper among her children. Out of the remaining two-thirds of slave property, my widow, if she thinks proper to do so, set apart two negroes to each of my sons, Robert and John William, to equal the value of the negroes I gave to their sisters, E. Wallace and H. Henry, my sons having their choice to take those two negroes, male or female. After this is done, the above-named men, if to be had, if not others of like character, will proceed to divide the remaining negro property equally among my children, to have and to hold," etc.

In Jarman on wills (2 vol. side page, 455) the doctrine is laid, that when property is given to one for life, and afterward to such children, &c. as he or she shall appoint, or among them in such proportions as the donee shall appoint, and there is no express gift to these objects in default of appointment, such gift will be implied. Among the cases referred to in support of this proposition, is that of Brown v. Biggs (4 Vesey, 708), where the bequest was "To such children of my nephew S. as my nephew. I shall think most deserving and that will make the best use of it, or (and) to the children of my nephew W., if any such there are or shall be." I having died in the life time of the testator, the Master of the Rolls, Sir R. P. Arden, and Lord Elden, held the children to be entitled unto the implied trust, and the testator's will was accordingly construed.

The author of the will, in writing his will, had caused his land, some 1300 acres, to be laid off into lots, and numbered 1, 2, 3, and 4, leaving still a residue of about 255 acres. After devising to each a lot, varying from 242 to 309 acres, the will proceeds as follows:

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W. H. WINGATE, Agent.

Nov. 26.

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